GOVERNMENTOF ANDHRA PRADESH

A B S T R A C T

Agriculture & Cooperation Department – Disciplinary Matters - Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District – Sexual harassment of women employees – Initiation of disciplinary action under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 - Articles of charge – Issued.

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AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.799 **Dated :16/12/2021**

Read the following:

1. From the Commissioner of Agriculture, A.P., Guntur, Lr.No.Vig.I(2) 240/2019,dt.22.07.2020 & 06.08.2020.
2. Govt. Memo. No.AGC01-AGRI/293/2020- VIG-I, A&C (Vig.I) Dept., Dt: 07.10.2020 & reminder dt.09.02.2021.
3. From the Commissioner of Agriculture, A.P., Guntur, Letter No. Vig.I(2)240/2011, Dt:15.3.2021.
4. Govt., Memo. No.AGC01-AGRI/293/2020 Dt: 20.05.2021
5. From the Commissioner of Agriculture, A.P., Guntur, Letter No.Vig. (2)240/2019, Dt:02.07.2021.

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It is proposed to hold an enquiry against the said Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District, in accordance with procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). Statement of imputation of misconduct or misbehavior on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri. Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District, is directed to submit a written statement of defense within (10) days of the receipt of this order.

4. Sri.Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District, Ananthapuramu District, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri. Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District, is further informed that if he does not submit his written statement of defense on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CCA) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him exparte.

6. Attention of Sri. Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District, is invited to rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Sri. Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A. P. Civil Service (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

POONAM MALAKONDAIAH
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri. Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu District and presently working as Deputy Director of Agriculture (SC), Chittoor
(Through the Commissioner of Agriculture, A.P., Guntur)

Copy to:
The Commissioner of Agriculture, A.P., Guntur,
Sf./Sc.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI. SK.HABEEB BASHA, THE THEN DDA(TRG) & JDA (FAC), ANANTHAPURAMU DISTRICT AND AT PRESENT WORKING AS DDA(SC), CHITTOOR DISTRICT:

Article of Charge :

"that the said Sri Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and at present working as Deputy Director of Agriculture (SC), Chittoor has committed the offence of sexual harassment against the women employees working in the 0/o Joint Director of Agriculture, Ananthapuramu. Thus, he has behaved in a manner which is unbecoming of a Government Servant which attracts violation of Rule 3-C of A.P. Civil Services (Conduct) Rules 1964".

Sd/- Dr.Poonam Malakondaiah

CHIEF COMMISSIONER, RBKs &

SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLE OF CHARGE FRAMED AGAINST SRI. SK.HABEEB BASHA, THE THEN DDA(TRG) & JDA (FAC), ANANTHAPURAMU DISTRICT AND AT PRESENT WORKING AS DDA(SC), CHITTOOR DISTRICT:

Based on the complaint petition received from the staff of women employees in the 0/o Joint Director of Agriculture, Ananthapuramu against Sri. Sk. Habeeb Basha, the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and at present working as DDA(SC), Chittoor District, the Collector & District Magistrate, Ananthapuramu has constituted "Three Member Committee," under section 6(1) of Sexual Harassment of Women at work place (Prevention, Prohibition and Redressal) Act, 2013. to conduct enquiry on women harassment made by Sri. SK. Habeeb Basha, Deputy Director of Agriculture. The Committee has conducted detailed enquiry on 17.08.2020 & 20.08.2020 and submitted enquiry report to the Collector & District Magistrate, Ananthapuramu.

The 'Three Member Committee' in its enquiry report, has stated that, as per written statements given by the women employees of Agriculture Department, Ananthapuramu district, it is almost evident that the women harassment made by Sri. SK. Habeeb Basha the then Deputy Director of Agriculture (Trg.) & Joint Director of Agriculture (FAC), Ananthapuramu and at present working as Deputy Director of Agriculture (SC), Chittoor is proved.

Further, the Collector and District Magistrate, Ananthapuramu has submitted detailed report to the Commissioner & Director of Agriculture, A.P., Guntur and stated that the Committee concluded that the delinquent officer has committed the offence of sexual harassment of women at work place and proposed to take necessary action against him as per Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressel) Act 2013.

Therefore, the aforesaid individual has behaved in a manner which is unbecoming of a Government Servant which attracts violation of Rule 3-C of APCS(Conduct) Rules 1964". Hence Charged.

Sd/- Dr.Poonam Malakondaiah

CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLE OF CHARGE FRAMED AGAINST SRI. SK.HABEEB BASHA, THE THEN DDA(TRG) & JDA(FAC), ANANTHAPURAMU DISTRICT AND AT PRESENT WORKING AS DDA(SC), CHITTOOR DISTRICT IS PROPOSED TO BE SUSTAINED.

1. Rc.No.MC1/2245/2020, dt:13.07.2020 & 17.08.2020 of the Collector & District Magistrate, Ananthapuramu.
2. Rc.No.428/EO/2020, dt:18.08.2020 &21.08.2020 of the Project Director, DW & CDA & Enquiry Committee, Local Complaints Committee, Ananthapuramu district. 3. Enquiry Report Rc.no.MC1/2245/2020, dt:05.01.2021 of the Collector & District Magistrate, Ananthapuramu.

Sd/- Dr.Poonam Malakondaiah
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI. SK.HABEEB BASHA, THE THEN DDA(TRG) & JDA(FAC), ANANTHAPURAMU DISTRICT AND AT PRESENT WORKING AS DDA(SC), CHITTOOR DISTRICT IS PROPOSED TO BE SUSTAINED.

-Nil-

Sd/- Dr.Poonam Malakondaiah
CHIEF COMMISSIONER, RBKs &
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER